

Amendment and Response

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Serial No.: 09/934,450

Confirmation No.: 7329

Filed: August 21, 2001

For: STRETCH REMOVABLE ADHESIVE ARTICLES AND METHODS

Remarks

The Office Action mailed October 6, 2003 has been received and reviewed. Claims 70 and 72 having been amended, claim 74 having been cancelled, and claims 75-79 having been added, the pending claims are claims 1-73 and 75-79. Reconsideration and withdrawal of the rejections are respectfully requested.

Substitute Oath/Declaration

Applicants thank the Examiner for notification of the typographical error in the oath/declaration. A substitute oath/declaration has been prepared and will be submitted to the U.S. Patent and Trademark Office pending execution by the inventors.

Provisional Obviousness-type Double Patenting Rejection

Claims 30, 31, 36, 37, 46, 51, 52, 56, 57, 65, and 68-74, were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 19, 50, 51, 53, and 54 of copending Application No. 09/847,941 ("the '941 application").

Applicants respectfully note that claims 1-12, 19-22, 24-51, 53, 54, 56, 57, and 59-61 have been rejected and claims 13-18, 52, 55, and 58 have been objected to in U.S. Application No. 09/847,941, which is currently on Final Rejection (Final Rejection mailed 16 December 2003 from U.S. Patent and Trademark Office).

Claims 38-41, 47-48, 58-60, 66, and 67 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 12, 14, 19, 50, 51 and 59 of the '941 application in view of copending application 10/180784 ("the '784 application").

Applicants respectfully note that claims 1, 12, 14, 19, 50, 51, and 59 of U.S. Application No. 10/180,784 have not been allowed.

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Claims 43, 44, 62, and 63 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 12 of the '941 application in view of U.S. Patent No. 6,043,408 ("Geng").

Because these provisional obviousness-type double patenting rejections are based on applications with no allowed claims and because these are the only rejections in this application, the Examiner is requested to withdraw the rejections and permit the application to issue as a patent, thereby allowing any such issues to be resolved in the issuance of the other applications. M.P.E.P. §804 (I)(B) affirmatively directs the Examiner to withdraw the provisional obviousness-type double patent rejections under such circumstances.

Reconsideration and withdrawal of the provisional obviousness-type double patenting rejections are respectfully requested.

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Summary

It is respectfully submitted that the pending claims 1-73 and 75-79 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for
STEBBINGS et al.

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CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EV 073 687 506 US

Date of Deposit: January 6, 2004

The undersigned hereby certifies that the Transmittal Letter and the paper(s) and/or fee(s), as described hereinabove, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Rachel Baglicadi- Gebhan
Name: Rachel Baglicadi- Gebhan

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